

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

DAVID J. MOORE §
VS. § CIVIL ACTION NO. 5:10cv106
DIRECTOR, TDCJ-CID §

MEMORANDUM OPINION REGARDING VENUE

Petitioner David J. Moore, an inmate confined in the Telford Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Discussion

Petitioner states that in 2003, he was convicted of robbery in the 283rd District Court of Dallas County, Texas. He was sentenced to 50 years imprisonment.

Petitioner filed this petition for writ of habeas corpus in the district in which he is currently confined. Pursuant to 28 U.S.C. § 2241(d), a petitioner may bring his petition for writ of habeas corpus in the district in which he was convicted or the district in which he is incarcerated. Section 2241(d) further provides that the district court in the exercise of its discretion may transfer the action to the other district in the furtherance of justice.

Petitioner was convicted in Dallas County, Texas.

Pursuant to 28 U.S.C. § 124, Dallas County is in Dallas Division of the Northern District of Texas. As all records and witnesses involving this action may be located in the Northern District, the transfer of this action to such district would further justice.

Accordingly, this case should be transferred to the Dallas Division of the United States District Court for the Northern District of Texas. A Transfer Order shall be entered in accordance with this Memorandum Opinion.

SIGNED this 12 day of July, 2010.


Earl S. Hines
EARL S. HINES
UNITED STATES MAGISTRATE JUDGE